

CHAPTERS 1 to 9

Reserved

CHAPTER 10
CUSTOMER COUNCILS**11—10.1(80GA,HF534) Definitions.**

“Customer council” means a group responsible for overseeing operations with regard to a service funded by a governmental entity or subdivision receiving the service when the department of administrative services (DAS) has determined that DAS shall be the sole provider of that service.

“Department” means the department of administrative services (DAS) created by 2003 Iowa Acts, House File 534, section 2.

“Economies of scale” means mass purchasing of goods or services, which results in lower average costs.

“Large agency” means a state agency with more than 700 employees.

“Leadership function” means a service provided by the department and funded by a general appropriation. Leadership functions typically relate to development of policy and standards and are appropriate when standardization is required and the ultimate customer is the taxpayer.

“Marketplace service” means a service that the department is authorized to provide, but which governmental entities may provide on their own or obtain from another provider of the service.

“Medium-sized agency” means a state agency with 70 to 700 employees.

“Quorum” means a majority of voting members are present.

“Small agency” means a state agency with fewer than 70 employees.

“Utility” means a service funded by the governmental entity receiving the service and for which DAS is the sole provider of the service.

11—10.2(80GA,HF534) Purpose. The purpose of this chapter is to establish DAS customer councils to oversee operations with regard to services provided when the department has determined that DAS shall be the sole provider of a service and to ensure that the department meets the needs of affected governmental entities and subdivisions and those citizens served.

11—10.3(80GA,HF534) Utility determination. Services for which the department has determined that DAS shall be the sole provider are designated “utilities” as part of entrepreneurial management in Iowa state government. Customers may choose the amount of service they purchase, but must buy from the single source. Utilities are those services for which a monopoly structure makes sense due to economies of scale. The process for determining whether the department shall be the sole provider of a service shall include consideration of economic factors, input from customer councils and input from upper levels of the executive branch.

11—10.4(80GA,HF534) Customer councils established. In order to ensure that utility services provide effective and efficient quality service that benefits governmental entities and the citizens they serve, this chapter establishes the following customer councils: general services, human resources, and technology.

11—10.5(80GA,HF534) Customer council membership. DAS customer council membership shall consist of nine state agency representatives, a judicial branch representative overseeing DAS services provided to the judicial branch, a legislative branch representative overseeing DAS services provided to the legislative branch, a representative from the public, a representative from a union representing state employees, and nonvoting ex-officio members.

10.5(1) Method of appointment of members.

a. *Executive branch agency representation.* Each customer council will include three members from large agencies, three members from medium-sized agencies and three members from small agencies. The designation of an agency to provide a representative to fill a position on a customer council shall be based on a vote of members of the respective large, medium-sized, or small agency groups. This designation shall be reviewed by the agencies prior to June 1 of each year for the terms ending June 30 of that year. The department will periodically review the definition of large, medium-sized and small agencies based on the number of employees of the agencies in Iowa state government and make adjustments accordingly. The individual selected by an agency to become a customer council member shall be the individual the agency determines is most appropriate to provide guidance.

b. *Legislative and judicial branch representation.* If the service to be provided may also be provided to the judicial branch and legislative branch, then the chief justice of the supreme court and the legislative council may, in their discretion, each appoint a member to the applicable customer council.

c. *Additional members.* A member of the public and a member of a union representing state employees involved in providing services overseen by the council shall be selected by voting members of each customer council by their second meeting after July 1, 2003. These selections shall be reviewed by the other council members prior to June 1 of the year the term expires.

d. *Ex-officio member(s).* Ex-officio members shall not vote on the proceedings of the customer councils for which they have been selected, but shall provide input to the council based on their area of expertise. Each ex-officio member shall be approved by a majority of the voting members of the respective customer council. An ex-officio member may be recommended to the customer council by:

- (1) A group representing agencies using a service overseen by the council, and
- (2) Any other group approved by the customer council.

10.5(2) Membership changes. As utility services and customer groups change, customer councils may add members to provide for equitable representation.

10.5(3) Term of membership. Each member will serve a two-year term; however, to ensure continuity of council functions, the first term for one representative of a large agency, one representative of a medium-sized agency, and two representatives of small agencies will be a 12-month term. The agencies filling the initial 12-month terms shall be selected by a vote of the agencies in each respective size group. Initial membership terms shall begin on July 1, 2003.

11—10.6(80GA,HF534) Organization of customer council. The operations of the customer councils shall be governed by a set of bylaws as adopted by each council. Bylaws shall address the following issues.

10.6(1) Member participation. Each member is expected to attend and actively participate in meetings. Participation will include requesting input and support from the group each member represents. Substitutes for members absent from meetings will not be allowed; however, members may attend by telephone or other electronic means.

10.6(2) Voting. A quorum is required for a customer council vote.

a. Members who are present shall be eligible to vote on all issues brought before the group for a vote. Members may vote during a meeting by telephone or other electronic means.

b. Each member, other than the ex-officio members, has one vote. A simple majority of the members voting shall determine the outcome of the issue being voted upon.

c. Customer council bylaws may be amended by a simple majority vote of all members.

10.6(3) Officers. Officers shall be elected at the first meeting after July 1 each year by a simple majority of the voting members present and may be removed by a simple majority of the voting members present. The elected officers of each customer council shall be the chairperson and vice chairperson.

10.6(4) Duties of officers.

a. The chairperson shall preside at all meetings of the customer council.

b. The vice chairperson shall assist the chairperson in the discharge of the chairperson's duties as requested and, in the absence or inability of the chairperson to act, shall perform the chairperson's duties.

10.6(5) Committees.

a. The chairperson may authorize or dissolve committees as necessary to meet the needs of a customer council.

b. Members of a customer council and individuals who are not members of a customer council may be appointed by the chairperson to serve on committees.

c. Committees shall provide feedback to the chairperson and the customer council at the council's request.

d. Committees shall meet, discuss, study and resolve assigned issues as needed.

10.6(6) Administration. DAS shall provide staff support to assist the chairperson with the following administrative functions:

a. Keeping the official current and complete books and records of the decisions, members, actions and obligations of the customer councils;

b. Coordinating meeting notices and locations, keeping a record of names and addresses, including E-mail addresses, of the members of the customer councils; and

c. Taking notes at the meetings and producing minutes that will be distributed to all members. Customer council books and records are subject to the open records law as specified in Iowa Code chapter 22.

10.6(7) Meetings. Customer council meetings are subject to the open meetings law as specified in Iowa Code chapter 21. Customer councils are responsible for the following:

a. Determining the frequency and time of their meetings.

b. Soliciting agenda items from the members in advance of an upcoming meeting.

c. Sending electronic notice of meetings, including date, time and location of the meeting, at least one week prior to the meeting date.

d. Providing an agenda, including those items requiring action, prior to the meeting. The agenda should also include any information necessary for discussion at the upcoming meeting.

e. Conducting meetings using the most recent version of Robert's Rules of Order, revised.

11—10.7(80GA,HF534) Powers and duties of customer council.

10.7(1) *Approval of business plans.* The customer council shall, on an annual basis, review and recommend action on business plans submitted by the department for performance of the services the customer council oversees. Business plans shall include levels of service, service options, investment plans, and other information.

10.7(2) *Complaint resolution.* The customer council shall approve the procedure for resolution of complaints concerning the service provided. The procedure shall consist, at a minimum, of the following steps:

a. Informal. An initial informal step is provided for DAS customer service delivery issues only. The customer may, orally or in writing, inform the person responsible for providing the service of the complaint. If the issue is resolved at this point, no further action is required.

b. First level. If the customer is not satisfied with the decision of the DAS service contact at the initial informal step for a service delivery complaint or the complaint is about rates, billing, service level agreements, or some other issue, the customer may submit a written summary of the complaint to the DAS measurement and planning division (MAP). MAP will review and log the complaint and forward it to appropriate DAS management staff. DAS shall send the customer a written decision within five business days, unless additional research is required, in which case the decision shall be communicated within ten business days.

c. Second level. If the customer is not satisfied with the decision made on the complaint at level one, MAP will forward the complaint to the appropriate DAS customer council to make a recommendation for the DAS director. MAP shall send the director's written decision to the customer within five business days, unless additional research is required, in which case the decision shall be communicated within ten business days.

d. Third level. If the customer is not satisfied with the decision made on the complaint at level two, MAP will forward the complaint to the director of the department of management for final disposition. The director of DAS shall send the written decision of the director of the department of management to all affected parties within five business days, unless additional research is required, in which case the decision shall be communicated within ten business days.

10.7(3) *Rate setting.* The customer council shall approve the procedure for setting rates for the services that the customer council oversees and the resulting rates. Rates shall be established no later than September 1 of the year preceding the rate change.

10.7(4) *Biennial review.* Every two years the appropriate customer council shall review the decision made by the department that DAS be the sole provider of a service and make recommendations regarding that decision.

11—10.8(80GA,HF534) Customer input. The department shall establish procedures to provide for the acceptance of input from affected governmental entities. Input may take various forms, such as unsolicited comments, response to structured surveys, or an annual report on service requirements.

11—10.9(80GA,HF534) Annual service listing. The department shall annually prepare a listing separately identifying services determined by the department to be leadership functions, marketplace services, and utilities. The listing shall be completed no later than September 1 of the fiscal year preceding the proposed effective date of the change.

These rules are intended to implement 2003 Iowa Acts, House File 534, section 11.

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